

19th May, 2017

**To the Chair and Members of the
COUNCIL**

**COUNCIL APPOINTED COMMITTEES' AND SUB-COMMITTEES' TERMS OF
REFERENCE FOR 2017/18**

EXECUTIVE SUMMARY

1. This report seeks Council's agreement to proposed revisions to the Terms of Reference of a number of Council appointed Committees` for the reasons set out in the report.

RECOMMENDATION

2. The Council is requested to:-
 - (i) for the reasons set out at paragraph 7, agree to the proposed revisions to Terms of Reference set out at Appendix A to this report;
 - (ii) note the existing Terms of Reference for all other Committees and Sub-Committees, as set out within Part 3 of the Constitution remain unchanged; and
 - (iii) note that the Constitution will be updated to reflect any revisions to the Terms of Reference agreed at this meeting.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER

3. The Council is committed to maintaining the highest standards of Governance, and the proposed Terms of Reference allow for the proper discharge of its functions by a Committee or Sub-Committee ensuring openness and transparency in terms of the Council's decision making processes. This ensures this obligation is met.

BACKGROUND

4. At the Annual Council meeting each year, Terms of Reference for Committees and Sub-Committees appointed by Full Council are approved.
5. The current Terms of Reference of Committees and Sub-Committees of Council are set out within Part 3 of the Council's Constitution which can be accessed on the Council's website.
<http://www.doncaster.gov.uk/services/the-council-democracy/council-constitution>
6. The Elected Mayor has responsibility for the discharge of Executive functions and will determine how these are exercised.

PROPOSED REVISIONS

7. In light of operational experience during the current year and as a consequence of legislative requirements, the following revisions are proposed to the Terms of Reference of Committees, set out at Appendix A to the report. Proposed deletions are crossed through whilst additions are shown in bold italics. Details for these suggested changes are shown below:-

(a) Audit Committee

The changes made to the Terms of Reference are largely typographical in nature. However, a change is proposed to 2(v). In order to ensure the Council is able to meet the requirement to approve both the Annual Governance Statement and the Annual Statement of Accounts by 31st July each year, it is proposed now to extend the delegation to the Audit Committee to approve as well as oversee the production of the Annual Governance Statement on behalf of the Council. This is a natural extension to its current authority and ensures the Council can meet the new timescales easily.

(b) Licensing Committee

The addition of 'and then to Full Council' clarifies the position as set out in 'The Local Authorities (Functions and Responsibilities) (Amendment) (England) Regulation's 2006 which provides at part 2 of the schedule at 3(e) and (f) that the Statement of Gambling Policy is a function that is not to be the sole responsibility of an authority's Executive. This means that it should be approved by the Executive and Full Council.

The Statement of Licensing Policy is required by the Local Authorities (Functions and Responsibilities) (Amendment No3) (England) Regulations 2004 at Schedule 1(1) to be a function not to be the responsibility of an Authority's Executive. This means it cannot be the decision of the Executive and should be made by Full Council. The Executive can be provided the Policy for information.

OPTIONS CONSIDERED AND REASON FOR RECOMMENDED OPTION

8. Council can accept, reject or accept in part, the proposals set out in this report. It is recommended that all the proposals are accepted.

RISKS & ASSUMPTIONS

9. There are no identified risks associated with this report.

IMPACT ON THE COUNCIL'S KEY OUTCOMES

- 10.

	Working with our partners we will provide strong leadership and governance.	The Council is committed to maintaining the highest standards of Governance and robust Terms of Reference allow for the proper discharge of the Council's
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		functions, ensuring openness and transparency.
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LEGAL IMPLICATIONS

11. Sections 101 and 102 of the Local Government Act 1972 empower the Council to arrange for the discharge of any of its functions by a Committee or Sub-Committee. The proposals outlined in the report are consistent with these powers.

CONSULTATION

12. Relevant lead Officers for each Committee/Sub-Committee, have been invited to submit any proposed revisions to Committee and Sub-Committee Terms of Reference, the details of which are set out within paragraph 7 of this report, to ensure that the Terms of Reference are robust and fit for purpose.

HUMAN RESOURCES IMPLICATIONS

13. There are no human resources implications associated with this report.

EQUALITY IMPLICATIONS

14. There are no specific equality implications associated with this report.

FINANCIAL IMPLICATIONS

15. There are no specific financial implications associated with this report.

TECHNOLOGY IMPLICATIONS

16. There are no specific technology implications associated with this report.

BACKGROUND PAPERS

None

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